

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENERGY INTELLIGENCE GROUP, INC.,
ENERGY INTELLIGENCE GROUP (UK)
LIMITED

Plaintiffs,

V.

UBS FINANCIAL SERVICES, INC.

Defendant.

ECF Case

Civil Action No.:
08-CV-01497 (DAB)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed declaration of Thomas P. Lane, sworn to April 11, 2008, and the exhibits annexed thereto, the accompanying memorandum of law and all prior pleadings and proceedings herein, the undersigned counsel for Defendant UBS Financial Services, Inc. (“Defendant”) will, pursuant to Fed. R. Civ. P. 12(b)(6), move this Court, before the Honorable Deborah A. Batts, United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be set by the Court, for an order (1) dismissing Counts Three, Four and Five of Plaintiffs’ Complaint, with prejudice, and (2) for such other and further relief as the Court deems just and proper.

Dated: New York, New York
April 11, 2008

WINSTON & STRAWN LLP

By: /s/Thomas P. Lane
Michael S. Elkin (ME 2300)
Thomas P. Lane (TL 8983)

200 Park Avenue
New York, New York 10166
(212) 294-6700

Attorneys for Defendant